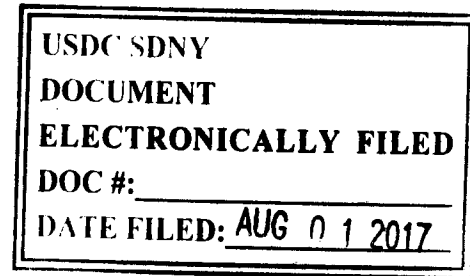


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

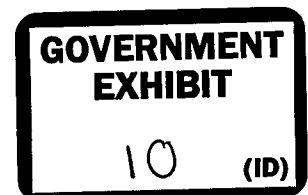
- - - - - x
:
UNITED STATES OF AMERICA :
:
- v. - :
:
JONATHAN SAEZ, :
a/k/a "John J," :
a/k/a "J," :
:
Defendant. :
:
- - - - - x



16 Cr. 317 (KBF)

IT IS HEREBY STIPULATED AND AGREED by and among the UNITED STATES OF AMERICA, by Joon H. Kim, Acting United States Attorney for the Southern District of New York, Matthew Laroche and Eli J. Mark, Assistant United States Attorneys, of counsel, and the defendant, Jonathan Saez, by and through his attorney, Mark Stein, Esq., that:

1. If called to testify, an officer with the New York City Police Department ("Officer-1") would testify that on May 20, 2013, Officer-1 responded to reports of shots fired in the vicinity of 528 Jackson Avenue, Bronx, New York. While at the scene, Officer-1 recovered five shell casings. In addition, Officer-1 observed that a vehicle ("Vehicle-1") was struck with a bullet in Vehicle-1's driver's side door, and that another



vehicle ("Vehicle-2") was struck with a bullet in Vehicle-2's front, left tire.

2. Government Exhibit 1 is an excerpt from surveillance video recorded on May 20, 2013 by a video camera belonging to the Family Dollar Store located at 528 Jackson Avenue, Bronx, New York. Government Exhibit 1A is a screenshot of a portion of the video marked as Government Exhibit 1.

3. Government Exhibit 3 is a picture obtained from the Facebook account of Demetrius Flowers with the vanity name "moejobrim.moejo". Government Exhibits 4 and 5 are pictures from the Facebook account of Jonathan Saez with the vanity name "john.jae.94".

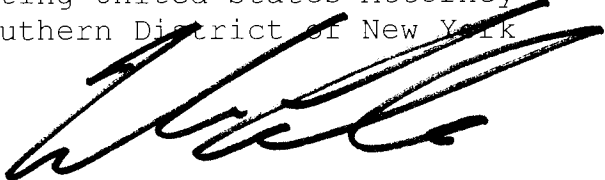
4. If called to testify, a representative of the Metropolitan Correctional Center ("MCC") would testify, based on a review of housing records for the MCC, that inmate Demetrius Flowers was housed at the MCC unit 7 North from May 3, 2016 to November 2, 2016, and that inmate Jonathan Saez was housed at the MCC unit 7 North from October 3, 2016 to March 15, 2017.

IT IS FURTHER STIPULATED AND AGREED that this stipulation and the exhibits referenced in this stipulation may be received in evidence at the *Fatico* hearing.

Dated: New York, New York
August 1, 2017

JOON H. KIM
Acting United States Attorney
Southern District of New York

August 1, 2017

By: 
Matthew Laroche / Eli J. Mark
Assistant United States Attorneys

August 1, 2017

By: 
Mark Stein, ESQ.
Attorney for Jonathan Saez